

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

C&J ASSOCIATES PEST CONTROL)	
and CURTIS DUNCAN,)	
)	
PLAINTIFFS,)	
)	
VS.)	2:06-CV-884-MEF
)	
BOB RILEY, et al.,)	
)	
DEFENDANTS.)	

**AMENDENDED RESONSPONSE TO REPORT
OF PARTIES' PLANNING MEETING**

Comes now Defendant, Bruce Alverson, by and through counsel, and files this Amended Response to Report of Parties' Planning Meeting filed by co-counsel on August 20, 2007. Movant shows the court as follows:

1. The undersigned agrees to statements made by Samantha Smith that she did contact the undersigned concerning his position for the parties' planning meeting. Unfortunately, the web server for Andalusia, Alabama recently crashed due to extensive heat and many e-mails were lost. Nonetheless, Defendant was under duty to contact co-counsel and failed to do so. Defendant Alverson has no objection to the scheduling as proposed by the parties.
2. Defendant's Alverson's defense is of the same position as Defendants' McMullen, Bloch and Debrow in as such Defendant Alverson re-alleges and adopts said defense position.
3. The undersigned respectfully apologizes for the delay in the response and appreciates efforts on behalf of co-counsel.

WHEREFORE, based upon the foregoing, movant requests an Amended Response to Report of Parties' Planning Meeting.

Respectfully submitted,

s/ William B. Alverson, Jr.
William B. Alverson, Jr.
Bar Number ASB-1162-A60W
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MOODY & BOWDEN
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OF COUNSEL:

ALBRITTONS, CLIFTON, ALVERSON,
MOODY & BOWDEN
Post Office Drawer 880
Andalusia, Alabama 36420
334-222-3177

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing upon all parties in this cause by placing a copy of same in the United States mail, postage prepaid, addressed as follows on this the 23rd day of August, 2007:

Mr. Curtis Duncan
C&J Associates, Pest Control
Post Office Box 8186
Montgomery, Alabama 36110

Mr. Richard H. Cater
State Finance Director's Office
State Capitol
N-105
600 Dexter Avenue
Montgomery, Alabama 36130

Mr. Robert J. Russell, Sr.
Department of Agriculture & Industries
Post Office Box 3336
1445 Federal Drive
81 Watson Circle
Montgomery, Alabama 36107

Mr. Scott L. Rouse
Office of the Governor
State Capitol, Suite NB-05
600 Dexter Avenue
Montgomery, Alabama 36130
Mr. Benjamin H. Albritton
Office of the Attorney General
Alabama State House
11 South Union Street
Montgomery, Alabama 36130

Ms. Robin G. Laurie
G. Lane Knight
Balch & Bingham, LLP
Post Office Box 78
Montgomery, Alabama 36101

Mr. William L. Tucker
Page, Scranton, Sprouse,
Tucker & Ford, P.C.
Synovus Centre
1111 Bay Avenue, Third Floor
Columbus, Georgia 31901

s/ William B. Alverson, Jr.
William B. Alverson, Jr.

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2:06-CV-884-MEF

AFFIDAVIT

Comes now the undersigned, Tina Ballard, and after being duly sworn does hereby testify as follows:

1. My name is Tina Ballard. I am a resident of the State of Alabama and over twenty-one (21) years of age. This Affidavit concerns information of which I have personal knowledge.
2. I am a legal secretary to William B. Alverson, Jr., attorney for Defendant Bruce Alverson.
3. I contacted the Clerk's Office on November 30, 2006, and verified that William B. Alverson, Jr., had not been listed as the attorney of record for Defendant Bruce Alverson. I was informed that there had been a clerical error.
4. On November 30, 2006, William B. Alverson was listed as attorney of record for Defendant Bruce Alverson.

Further saith the Affiant not.

Tina Ballard

STATE OF ALABAMA}
COVINGTON COUNTY}

I, _____, a Notary Public in and for said County, in said State, hereby certify that Tina Ballard, whose name is signed to the foregoing Affidavit and who is

known to me, acknowledged before me under oath on this day that after first being duly sworn and after being informed of the contents of this Affidavit, that the same is true. She then executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this, the _____ day of _____, 2006.

NOTARY PUBLIC

My commission expires:

(NOTARIAL SEAL)

